

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OIRAM ROMAN AYALA,
Plaintiff,

v.

PEOPLE OF CALIFORNIA,
Defendant.

Case No. [23-cv-04390-RFL](#) (PR)

ORDER OF DISMISSAL

A review of this 42 U.S.C. § 1983 complaint shows that plaintiff Ayala is challenging his criminal sentence, not the conditions of confinement. Ayala invokes SB 394, codified as California Penal Code section 3051(b), which provides for parole hearings for youth offenders sentenced to life without parole (LWOP) for a crime committed before age 18 or sentenced to a determinate or indeterminate life term for a crime committed before age 26. (Compl., Dkt. No. 1 at 2-3.) He believes his LWOP sentence should “go down to a 20 year sentence” and his convictions for first degree murder should be reduced to second degree murder. (*Id.* at 3.)

Because “habeas corpus is the exclusive remedy to attack the legality of the conviction or sentence,” the claims raised in the complaint must be raised through a habeas corpus petition. *Nettles v. Grounds*, 830 F.3d 922, 933 (9th Cir. 2016). Accordingly, this civil rights lawsuit is **DISMISSED** without prejudice to Ayala raising his claims through a federal habeas petition.

The Clerk shall enter judgment in favor of defendant, and close the file.

IT IS SO ORDERED.

Dated: March 7, 2024



RITA F. LIN
United States District Judge